Section 3 - All Tribal lands, and Tribal property thereon shall remain free from taxation and shall be exempt from any and all forms of liens, and shall not be encumbered in any manner whatsoever.

ARTICLE VII. Claims Against the United States

Section 1 - Nothing in this Constitution shall be so construed as to impair or prejudice any claim or suit of the Yankton Sioux Tribe of Indians against the United States and that no expenditures for the Yankton Sioux Indians made out of appropriations prior to this amended Constitution shall be considered as offsets in any suit brought to recover upon any claim of the Yankton Sioux Tribe of Indians against the United States and that all future payments recovered on claims shall be paid on a per capita basis.

ARTICLE VIII. Headquarters

Section 1 - This organization shall have temporary headquarters at Yankton Sub-Agency, Wagner, South Dakota. This organization shall be at all times non-sectarian.

ARTICLE IX. Democratic Form of Government

Section 1 - All operations under this Constitution shall be free from any system of collectivism and/or socialism under any and all circumstances.

Section 2 - This Constitution shall stress to the fullest extent of its authority at all times,) recognition of and operation under the private enterprise system and democratic way of life.

ARTICLE X. Hunting

Section 1 - Hunting or fishing of wild game shall not be forbidden any Indian on Tribal lands.

Section 2 - Hunting or fishing shall be allowed on allotted or heirs hip land with permission of the land owner or owners.

ARTICLE XI. Amendments

Section 1 - An amendment to this Constitution may be proposed at any regular or special Tribal meeting by vote of majority of the members present at such meeting in favor of any proposed amendment. To officially adopt such proposed amendments there must be an election as to which there shall be written notices posted at proper places throughout the reservation at least thirty (30) days and not more than sixty

[Amended by Amendment I, March 20, 1975.]

Section 2 - The membership rolls shall be reviewed annually by the Committee in order to keep records up to date as well as make any necessary corrections, said corrections subject to the approval of the Tribe.

Section 3 - The active membership shall be comprised of Tribal members who are of legal age (21 years and over).

ARTICLE V. Officers

Section 1 - These shall be comprised of nine members consisting of a Tribal Chairman, Vice- Chairman, Secretary, Treasurer and five other members which members and officers shall be nominated by a petition signed by not less than 25 members of the Tribe and which petition shall designate the office for which the candidate is running, either Chairman, Vice- Chairman, Secretary and Treasurer, or members at large.

Section 2 - The officers and Committee members shall be elected every two years on the first Thursday in September to hold office until their successors are duly installed, or as may be otherwise provided. Any Committee member or officer may be removed for good cause by a two-thirds vote of the members attending any regular Tribal meeting or any meeting called for such removal.

Section 3 - The judicial power shall remain in the Tribal membership and upon request of five members of any just cause, such cause shall be submitted at any regular Tribal meeting for action. The legislative branch shall be comprised of the nine Committee members, however any legislative action shall first be submitted to a General Tribal Council and subject to Tribal amendment, repeal or ratification.

Section 4 - Compensation shall not be paid to any Committee member, Chairman, Vice Chairman, Secretary, Treasurer, or any member of the Tribe without the approval of the Tribe and the Secretary of the Interior.

ARTICLE VI. Territory

Section 1 - The territory under which this Constitution shall exist shall extend to all original Tribal lands now owned by the Tribe under the Treaty of 1858.

Section 2 - All assignments of Tribal land heretofore made by the Bureau of Indian Affairs, prior to this amended Constitution, shall remain at the discretion of the Bureau of Indian Affairs.

(60) days in advance of the date such amendment is to be considered, such notices to give the time and place of the meeting and also the specify what the proposed amendment is.

Section 2 - The final procedure on any proposed amendments shall be voting by secret ballot at a polling place, time and place of such voting to be determined and designed by the Committee.

Section 3 - All eligible voters of the Tribe may vote on any proposed amendment by presenting themselves at the polling place.

Section 4 - All or any part of this Constitution is subject to amendment repeal or ratification subject to the approval of the Secretary of the Interior.

Article XII. Law and Order

Section 1 - To promulgate and enforce ordinances governing the conduct of members of the Yankton Sioux Tribe and providing for the maintenance of law and order and the administration of justice by the establishment of a reservation court and defining its duties and powers subject to the approval of the Secretary of the Interior or his authorized representative.

[Amended by Amendment II, March 20, 1975.]

AMENDED BY-LAWS OF THE YANKTON SIOUX TRIBAL BUSINESS AND CLAIMS COMMITTEE

ARTICLE I. Voting on Indian Legislation

Section 1 - All Tribal Business other than of a routine nature which would involve Indian Legislation shall be voted on by secret ballot at a polling place, time and place of such voting to be determined and designated by the committee. Notice shall be posted at proper places throughout the reservation at least thirty (30) days and not more and sixty (60) days in advance of such voting.

Section 2 - All eligible voters may vote by presenting themselves at the polling place approval by majority vote shall be considered final.

ARTICLE II. Election

the process of investigation. Indian legislation will be brought to the general Tribal council for the Tribe's consideration, (30) days prior to referendum vote by the Tribe.

Section 2 - The Committee shall negotiate the terms of contractual agreements said contractual agreements shall be subject to the approval of the Tribe. Approval to be made in accordance with Article I, Sections 1 and 2 of the amended By-Laws.

Section 3 - All allotted lands, including heirship lands, belonging to any member of the Yankton Sioux Tribe of Indians shall continue to be held as heretofore by their present owners. It is recognized that under existing law such lands may be inherited by the legal heirs of the present owners, whether such heirs are members of the Yankton Sioux Tribe of Indians or not. It is also recognized that under existing law the Secretary of Interior may remove restrictions upon such lands, upon the application of the Indian owner, whereupon the land may be sold or mortgaged and in such event, will be subject to taxes. The rights of the individual Indians to hold their lands under existing law shall not be affected by anything contained in this Constitution and By-Laws.

Section 4 - It is recommended by the Yankton Sioux Tribe that a majority of heirs or as many that may be available (51% or more) should constitute a lease. Every effort shall be made by the renter in order to obtain as many signatures as possible. This is in recognition of the democratic way of life, where a majority of individual Indians should have freedom in exercising their rights in negotiating a lease. In the process of negotiating a lease all heirs shall be notified thereby individual rights will not be violated.

Section 5 - Any business in the matter of Tribal claims shall be brought directly to a General Tribal Council for the Tribes consideration, except in case of an emergency involving any attorney contract, then the contract shall be executed in accordance with the format used in the renewal dated February 1, 1957. This format was used again by the Constitutional Committee in an emergency involving attorney contract which expired in January 17, 1961 and in view of circumstances as stated in the letter of January 17, 1962 from the law office of Wilkinson, Cragun, and Barker, the Committee temporarily extended the original attorney contract so that the Yankton Claims will not be lost by default.

Section 6 - The format mentioned above is an exception to the regulations cited as 25 CFR Section 72. The specific authority as required in contractual agreement are from excerpts of title 25 of the code of federal regulations as follows: (a) Section 72.7 statutes governing the negotiation and execution of Tribal attorney contracts with Tribes not organized under the Indian Reorganization Act must be in strict accordance with the requirements of Section 2103 of the revised statutes of the United States. (25.U.S.C. 81) (b) Section 72.8 statutes governing selection of counsel, except as stated in sections 72.12-72.15, a Tribal attorney and Tribal delegates to execute a contract shall be selected by a General Council or meeting of the Tribe, to be called by the superintendent of the particular reservation. The

Superintendent, or someone representing him shall be in attendance with a stenographer.

Section 7 - The rights of the individual Indians to hold their money shall not be affected by anything contained in this Constitution and By-Laws. All individually owned income such as wages, salaries, pensions, income from allotted lands and heirship and deeded lands and any other incomes of the individual shall be held by such individual.

Section 8 - In further recognition of the rights of the individual Indians to hold money, any money that may be recovered by suit of the United States of America by the Yankton Sioux Tribe of Indians, which is now pending before the Indian Claims Commission, shall be paid on the per capita basis, and shall not be held by the Bureau of Indian Affairs to budget out to the Indian Tribe nor shall this be programmed out by Committee.

ARTICLE V. Duties of Officers

Section 1 - Duties of Chairman: All duties normally applicable to the post of Chairman shall be required of the Chairman although he need not necessarily preside at General Council meetings. All official Tribal business shall require the signature of the executive Chairman.

Section 2 - Duties of Vice-Chairman: The Vice-Chairman shall assume and discharge the duties of the office of Chairman in the absence or disability of, or at the request of the Chairman. The Vice-Chairman shall administer oaths of office to all members who may be elected before such elected members take active part in the deliberations of the Committee.

Section 3 - Duties of the Secretary: The Secretary shall have charge of and keep an accurate record of all proceedings of the meetings, keep such records as may be required by the membership, and keep the members of the Tribe clearly informed of the various accomplishments of the Committee, and shall handle the correspondence of this organization. All official Tribal business shall require the signature of the executive Secretary.

Section 4 - Duties of Treasurer: The Treasurer shall be responsible for maintaining the bookkeeping system and preparing the annual budget, financial statements, balance sheets, and profit and loss statements. The Treasurer shall sign all vouchers and make a full report to the Tribe on the financial reports as they are available and at the annual meeting, the Treasurer shall also be bonded.

Section 5 - Duties of Chaplain: The Committee shall agree on selecting a Chaplain who shall give the invocation at all meetings.

ARTICLE VI. Eligibility of Office

Section 1 - Any member of this organization in good standing over the age of 21 years shall be eligible to hold office in this organization with the provision that he or she shall be a resident of the Yankton Indian Reservation of South Dakota for at least one year. This shall specifically exclude any employee of the United States Government.

ARTICLE VII. Vacancies

Section 1 - Any and all vacancies existing other than from the expiration of the term of office shall be filled by a majority vote of the membership acting at the regularly scheduled Tribal meeting, and such appointed person shall hold office for the unexpired term of the person he succeeds and until a successor is duly elected and installed.

ARTICLE VIII. Oath of Office

Section 1 - All duly elected or appointed members of the Committee shall take an oath of office prior to assuming the duties of such office, pledging himself to support and defend the Constitution of the United States of America, the Constitution of the state of South Dakota and the Constitution of the Yankton Sioux Tribal Business and Claims Committee including the By-Laws thereof. The oath shall be in form as follows:

"I, _____, do solemnly swear to defend the Constitution of the United States of America, the Constitution of the State of South Dakota, and the Constitution and By-Laws of the Yankton Sioux Tribal Business and Claims Committee against all enemies. I will carry out, faithfully and impartially, the duties of my office to the best of my ability, and protect the best interests of the Yankton Sioux Tribe of Indians in accordance with its Constitution and By-Laws. So help me God.

ARTICLE IX. Undue Influence on Contracts

Section 1 - Undue influence is such power and/or domination which a strong-willed person wrongfully exercises over a weak-willed one. When undue influence has been used to effect the execution of any contract, then such contract shall be declared null and void.

ARTICLE X. Membership File

Section 1 - Each and every member of this organization shall furnish the Secretary with his or her address for mailing purposes.